



# CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

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(only for Continuation or Divisional applications under 37 CFR § 1.53(d))

AUG 29 2001

Address to:  <b>Box CPA</b>  <b>Commissioner for Patents</b>  <b>Washington, DC 20231</b>	Attorney Docket No.	100086.409	TECH CENTER 1600/2900
	First Named Inventor	Orest W. Blaschuk	
	Examiner Name	Amy DeCloux	
	Group / Art Unit	1644	
	Express Mail Label No	EL897865154US	

☒ continuation or ☐ divisional application under 37 CFR § 1.53(d),

(continued prosecution application (CPA)) of prior application number 09/185,908

filed on November 3, 1998, entitled COMPOUNDS AND METHODS FOR MODULATING CLAUDIN-MEDIATED FUNCTIONS

## NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. § 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR § 1.53(d), but must be filed under 37 CFR § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. § 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. § 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. § 120 and to every application assigned the application number identified in such request, 37 CFR § 1.78(a).

- ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR § 1.116 in the prior nonprovisional application.
- ☒ A Response Under 37 C.F.R. § 1.116 is enclosed.
- This application is being filed by fewer than all the inventors named in the prior application, 37 CFR § 1.53(d)(4).
  - ☐ **DELETE** the following inventor(s) named in the prior non-provisional application:  
\_\_\_\_\_
  - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
 

a. <input checked="" type="checkbox"/> PTO-1449	06/20/2001 TTRAM1 00000036 09185908	
b. <input checked="" type="checkbox"/> Copies of IDS Citations	01 FC:201	355.00 OP
	02 FC:202	80.00 OP
	03 FC:203	981.00 OP
	04 FC:204	135.00 OP

(1) For	Claims			(4) Rate		(5) Calculations
	(2) Number filed	(3) Number extra				
Basic Fee						\$ 355
Total Claims	129- 20* =	109	X	\$ 9	=	\$ 981
Independent Claims	5 - 3** =	2	X	\$ 40	=	\$ 80
Multiple Dependent Claims (if applicable) (37 CFR § 1.16(d))				\$	+	\$ 135
Petition for 2-month Extension of Time						195
TOTAL FILING FEE						\$ 1746
*Reissue claims in excess of 20 and over original patent. **Reissue independent claims over original patent.						

6. Small Entity Status:

- a. ☒ Applicant claims small entity status.
- b. ☒ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

7. The Assistant Commissioner is hereby authorized to credit overpayments or charge the following fees or insufficiencies in the following fees to Deposit Account No. 19-1090.

- a. ☒ Fees Required Under 37 CFR § 1.16.
- b. ☒ Fees Required Under 37 CFR § 1.17.
- c. ☐ Fees Required Under 37 CFR § 1.18.

8. ☒ A check in the amount of \$1,746.00 is enclosed.

9. ☒ Other: Return Receipt Postcard; Check; Response Under 37 C.F.R. § 1.116; Version With Markings To Show Changes Made; Exhibit 1, Exhibit 2, Exhibit 3, Petition for Extension of Time, Copy of Limited Recognition

**NOTE:**

The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.

10. CORRESPONDENCE ADDRESS

Qing Lin, Ph.D.



00500

PATENT TRADEMARK OFFICE

Respectfully submitted,

SIGNATURE

*Qing Lin*

Date

8/24/01

TYPED or PRINTED NAME

Qing Lin, Ph.D.

REGISTRATION NO.

(See Limited Recognition)

# 19/D  
gnd  
8/31/01  
PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 29 2001

TECH CENTER 1600/2900

Applicants : Orest W. Blaschuk et al.  
Application No. : 09/185,908  
Filed : November 3, 1998  
For : COMPOUNDS AND METHODS FOR MODULATING CLAUDIN-MEDIATED FUNCTIONS

Examiner : Amy DeCloux, Ph.D.  
Art Unit : 1644  
Docket No. : 100086.409  
Date : August 24, 2001

Box CPA  
Commissioner for Patents  
Washington, DC 20231

RESPONSE UNDER 37 C.F.R. § 1.116

Commissioner for Patents:

In response to the Final Office Action dated March 27, 2001 and the Advisory Action dated July 2, 2001, please extend the period of time for response two months, to expire on August 27, 2001. Enclosed are a Petition for an Extension of Time and the requisite fee. Please amend the application as follows:

In the Claims:

Please amend claim 5 as follows:

DI 5. (Twice Amended) A modulating agent according to any one of claims 2-4, wherein the agent is a peptide ranging in size from 5 to 50 amino acid residues.